ADJOURNMENT MOTION.

Mr. S. Krishna Pillai handed over to the President a paper containing notice of motion for the adjournment of the business of the House.

PRESIDENT: In regard to the notice of motion that you have put into my hands, Mr. Krishna Pillai, before I give my decision it is necessary to get some information. I will give you my decision when we meet this afternoon.

LEGISLATION.

THE JENMI AND KUTIYAN REGULATION AMENDMENT BILL.

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): സർ, ഇന്നലെ ഞാൻ പറയുവാൻ ശ്രമിച്ചുകൊണ്ടിരുന്നതു ജന്മിമാക്കു് ഇന്നു തങ്ങളുടെ ജന്മവസ്തുക്കളിൽനിന്നും കിട്ടുന്ന ആദായത്തിനും ആ വസ്തുവിന്മേൽ അവക്കുള്ള അവകാശത്തിനും യാതൊരു ഉറപ്പുമില്ലെന്നാണു്. അധികാരികളുടെ ഓരോ കാലത്തുണ്ടാകുന്ന ന്യായബോധത്തെ ആശ്രയിച്ചാണു് ഇന്നു ജന്മിമാക്കു് കിട്ടുന്ന ആദായവും അവകാശവും സ്ഥിതിചെയ്യുന്നതു്. ഫർമുതൽ ഇതിനെപ്പറ്റി ഉണ്ടായിട്ടുള്ള തീരുമാനങ്ങളും ആലോചനയിൽ വന്നിട്ടുള്ള ബില്ലുകളും ആലോചിക്കുമ്പോൾ ഇന്നു ജന്മിമാക്കു സ്ഥിരാവകാശം കൊടുക്കേണ്ട ഒരു നിയമമാണു് ഉണ്ടാക്കേണ്ടതു്. ഇന്നു് ആലോചനയ്ക്കായി വന്നിട്ടുള്ള ചില ഭേദഗതികളം നോക്കുകയാണെങ്കിൽ വസ്തുവിലുള്ള ജന്മാവകാശത്തെ, അതായതു് ഇതുവരെയും എല്ലാവരും സമ്മതിച്ചുകൊടുത്തിട്ടുള്ള ജന്മാവകാശത്തെപ്പോലും എടുത്തുകളയണമെന്നു വിവരിക്കുന്നതായി ചിലതു കാണുന്നുണ്ടു്. ആ സ്ഥിതിയ്ക്കും ജന്മിമാക്കില്ലെ സ്ഥിരാവകാശംകൊടുത്തു ചില നിയമങ്ങളുണ്ടാക്കേണ്ടതെന്നു് ആക്കും തോന്നിപ്പോകും. ഈ രീതിയിൽ ഈ രാജ്യത്തുള്ള ഒരു ചെറുവിഭാഗക്കാരുടെ അവകാശത്തെ വിഴുങ്ങിച്ചവരുന്നതായ ഭേദഗതികളും ബില്ലും കൊണ്ടുവരുന്നതു രാജ്യമീമാംസാതത്വത്തിനു എത്രമാത്രം യോജിച്ചതാണെന്നാണു ഞാൻ ഇന്നലെ പറയുവാനായി ശ്രമിച്ചതു്. ഇതിനെ സംബന്ധിച്ചുകഴിഞ്ഞതവണത്തെ സിലക്ട് കമ്മിറ്റി വേണ്ടവിധത്തിൽ ആലോചിച്ചതിനുശേഷമല്ല ഈ ഭേദഗതികളം ചെയ്തിട്ടുള്ളതെന്നു എനിക്കു തോന്നിയതുകൊണ്ടാണു് ഈ ബിൽ രണ്ടാമതും ഒരു സിലക്ട് കമ്മറ്റിക്കയക്കണമെന്നു ഞാൻ ആവശ്യപ്പെടുന്നതു്.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ഇപ്പോൾ ഉദ്ദേശിക്കുന്ന സിലക്ട് കമ്മറ്റി ആ ഭാഗങ്ങൾകൂടി ആലോചിക്കുമെന്നു മെമ്പർക്കു് എങ്ങിനെ അറിയാം?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): അവരുടെ ദൃഷ്ടിയിൽ കൊണ്ടുവന്നാൽ അവർ ആലോചിക്കും.

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MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ഏതുവിധത്തിൽ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഞാൻ ഇപ്പോൾ ഇവിടെ പറയുന്നതുപോലെ അവരുടെ ദൃഷ്ടിയിലും കൊണ്ടുവരിക.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): മെമ്പർ ഇവിടെ പറയുന്നതു സിലക്ട് കമ്മറിയുടെ ശ്രദ്ധയിൽ പെടുത്തിയിട്ടുണ്ടോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ബോധ്യപ്പെടുത്തിയിട്ടുണ്ടെന്നാണു ഞാൻ വിചാരിക്കുന്നതു്. എന്നാൽ സിലക്ട് കമ്മറി അതനുസരിച്ചു പ്രവർത്തിച്ചില്ല.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): സിലക്ട് കമ്മറി അതു ശ്രദ്ധിച്ചില്ല എന്നു പറയുവാൻ മെമ്പർക്കു എന്തു അത്താർട്ടിയാണുള്ളതു്?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): സിലക്ട് കമ്മറി റിപ്പോർട്ടു വായിച്ചതിൽ നിന്നു എനിക്കങ്ങിനെയാണു തോന്നിയതു്. അതായതു ഈ ഭേദഗതികൾ വായിച്ചാൽ സിലക്ട് കമ്മറി അതതപക്ഷങ്ങളെ ആദരിച്ചിട്ടില്ലെന്നു കാണാം.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): ഇന്നതു വായിച്ചാൽ ഇന്നകാര്യം സിലക്ട് കമ്മിറി പര്യാലോചിച്ചിട്ടില്ല എന്നുള്ളതിനു ഒരുദാഹരണം പറയാമോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): അതിലുള്ള ഓരോസെക്ഷനും ഉദാഹരണങ്ങളാണു്; പ്രത്യേകിച്ചെടുത്തുപറയണമെന്നില്ല. ജന്മികുടിയാന്മാർ തമ്മിലുള്ള സംബന്ധം ഒന്നു ലഘൂകരിപ്പിക്കുന്നതിനായി സിലക്ട് കമ്മറിയിൽ മി: ഇപ്പൻനംപൂതിരിപ്പാട്ടു് ഒരഭിപ്രായം പറയുകയുണ്ടായിട്ടുണ്ടു്. അതിനെപ്പറ്റിയും വേണ്ടവിധത്തിൽ ആലോചിച്ചിട്ടില്ല.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): പുതുതായി സിലക്ട് കമ്മറിയിൽ ആലോചിക്കേണ്ട സംഗതി എന്താണെന്നു പറയാമൊ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): ഇന്നത്തെ കാണപ്പാട്ടവസ്തുക്കൾക്കു കൊടുക്കുന്ന എട്ടിലൊന്നു സർക്കാർകരം നീക്കി ശേഷമുള്ള എട്ടിലേഴുഭാഗം ജൻമിമാർക്കു കിട്ടേണ്ട സകല അവകാശങ്ങൾക്കും ആയി കൊടുക്കാമെന്നു നിശ്ചയിക്കയാണെങ്കിൽ അതുകൊണ്ടു ജന്മിമാർ തൃപ്തിപ്പെട്ടുകൊള്ളും. ഇതിനെപ്പറ്റി ക്രുലങ്കഷമായി ആലോചിക്കേണ്ടതാണു്.

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MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : മെമ്പർ ഇവിടെ പറഞ്ഞതു മി: തുപ്പൻ നമ്പൂരിപ്പാടിനും സമ്മതമാണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : സമ്മതമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : മി: ജാതവേദൻ നമ്പൂതിരിപ്പാടിനും സമ്മതമാണോ?

MR. V. N. JATAVEDAN NAMPUTIRIPAD (*Co-opted*) : ഒരന്വേഷണം നടത്തി തീരുമാനിക്കുന്നതു സമ്മതമാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : പിന്നെയും അഭിപ്രായവ്യത്യാസം ഉണ്ടായാൽ വീണ്ടും ഒരു സിലക്ട് കമ്മറ്റിയിലേക്ക് ആലോചനയ്ക്കയക്കുന്നതു വിഹിതമാണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : സിലക്ട് കമ്മറ്റിയിൽ ആലോചിച്ചാൽ കൂടുതൽ സൌകര്യം ഉണ്ടാകുമെന്നു തോന്നുന്നുണ്ട്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : നിങ്ങൾക്ക് അഭിപ്രായവ്യത്യാസമൊന്നുമില്ലേ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : ഇല്ല.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*) : മറ്റു ജന്മിമാർക്കും ഇതു സമ്മതമാണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : അതറിയുന്നതിനാണ് അന്വേഷണം നടത്തണമെന്നു പറഞ്ഞതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : ഈ ഒരു സംഗതിയെപ്പറ്റിമാത്രം അന്വേഷണം നടത്തിയാൽമതിയോ, അതല്ല മറ്റുസംഗതികളെപ്പറ്റിക്കൂടി അന്വേഷണംനടത്തണോ?

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*) : ഇതു മതിയാകുമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmis*) : ഈ വിഷയത്തിൽ എന്റെ അഭിപ്രായംകൂടി അറിയണമെന്നു ചിലർക്കു താല്പര്യമുള്ളതിനാൽ ഞാൻ എന്റെ അഭിപ്രായത്തെ കൂടെക്കൂടി വ്യക്തപ്പെടുത്തണമെന്നു വിചാരിക്കുന്നു. ഈ കൗൺസിലിലുള്ള ഞങ്ങളും മുന്നമേപക്ഷം ഇതു സമ്മതമാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : അതുയേ ചോദിച്ചോള്ളൂ.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmis*) : എന്നാൽ മറ്റുള്ള ജന്മിമാരുടെ അഭിപ്രായംകൂടി അറിയേണ്ട ആവശ്യമുള്ളതുകൊണ്ടാണ് ഈ

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ബിൽ വീണ്ടും ഒരു സിലക്ററ് കമ്മറിക്കയക്കണമെന്നു ആവശ്യപ്പെട്ടന്നതു.

PRESIDENT: ഈ ഒരു സംഗതി തീരുമാനിക്കാൻവേണ്ടിമാത്രം വീണ്ടും ഒരു സിലക്ററുകമ്മറിക്കു ഈ ബിൽ അയയ്ക്കണമെന്നാണോ നിങ്ങൾ ആവശ്യപ്പെടുന്നതു?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmis*): ഇതിനെപ്പറ്റിമാത്രം അന്വേഷണം നടത്താനാണെങ്കിലും തെളിവെടുത്തു ബോദ്ധ്യപ്പെട്ടകഴിഞ്ഞാൽ ആ കമ്മറിറിപ്പോർട്ടനുസരിച്ചുള്ള ഭേദഗതിയോടുകൂടി ബിൽ പാസ്സാക്കുന്നതു സമ്മതമാണു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): ഈ തത്വം ജന്മിയും കുടിയാനും സമ്മതിക്കയാണെങ്കിൽ പിന്നെ ഭേദഗതിയുടെ ആവശ്യമുണ്ടോ?

PRESIDENT: This Bill will have to be altered. That is what he says?

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmis*): ഈ തത്വത്തിൽ അടങ്ങിയ ഭേദഗതിക്കുടി പുതുക്കിയ ബില്ലിൽ ഉൾപ്പെടുത്തേണ്ടതാണു്.

MR. N. RAMAN NAMPUTIRIPAD (*Co-opted*): മറ്റുള്ള ജന്മിമാരുടെ അഭിപ്രായംകൂടി രേഖപ്പെടുത്താനുള്ള ഒരു മാർഗ്ഗം ഇതായതുകൊണ്ടു ഞാൻ ഈ ബില്ലിനെ വീണ്ടും ഒരു സിലക്ററുകമ്മറിയ്ക്കയക്കണമെന്ന അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, as I understand it, the motion, as now put forward or as interpreted by the jenmi members, is that the Bill be formally recommitted to a Select Committee with a direction from the Council to enquire into one single point, namely, to find out whether there will be a general agreement—I do not say universal agreement—on this single point whether, in respect of kanapattom lands, the pattom may be taken to be the pattom fixed by Government for Land Revenue purpose, of which 1/8 will go to Government as Government tax the balance being the jenmies' dues.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): It cannot be 1/8 in all cases.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But generally it is 1/8. Sometimes it may be 1/6th or even 1/4th. Whatever that may be, a portion would go to the Government as Sirkar tax; the amount left after deducting this Sirkar tax should be paid to the Jenmi in substitution of all his present claims.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): Does it include customary dues?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. That is so. Practically, the land is to become pandarapattom. 1/8 of the pattom would be given to the Government and the balance to the Jenmi.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member mean that in the case of pandarapattom lands the Sirkar gets the full pattom of the land without making any deduction whatsoever in favour of the kutiyan?

PRESIDENT: That is the net pattom or *Irippukaram*.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member mean that the proposal relates to seven times the value of tax fixed for these?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The settlement register will give the pattom for each land. Take that to be the pattom of the land. Of it give 1/8 to the Government and the balance to the jenmi. That is the idea. The accurate details may be worked out later on.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the pattom fixed there denote the total tax that the tenant is bound to pay to the Sirkar if it were pandarapattom?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think any deduction is allowed except in the case of paddy lands for *Varambus* or some such things. It is deducting all these that the pattom, so called, is fixed.

MR. A. NARAYANA PILLAI (*Vaikam*): കാണയാധാരത്തിൽ പണ്ടാരപ്പാട്ടം വസ്തുഉംപ്പെട്ടകയും മുഴുവൻ കരംസക്കാരിലേക്കുകൊടുക്കേണ്ടിവരികയും ചെയ്യുകയില്ലെ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are not concerned with individual cases but only with what are generally known as kanam lands in regard to which the Courts recognise renewal, michavaram and other dues etc; and it is in substitution of all these dues that the proposed 7/8 of the pattom, *i. e.* the balance after payment to Government, must be given to the jenmi.

MR. A. NARAYANA PILLAI (*Vaikam*): കരത്തിൽ ബാക്കിയില്ലെങ്കിൽ സക്കാർ കരത്തോളം വരുന്ന സംഖ്യ ജന്മിക്കുകൊടുക്കേണ്ടിവരുമല്ലോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): സെറിൽമെൻറുപാട്ടം നോക്കി നിശ്ചയിക്കണം.

MR. A. NARAYANA PILLAI (*Vaikam*): കാണവസ്തുക്കൾ പീന്നീട പണ്ടാരപ്പാട്ടമായി വന്നതു കാണും.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ശരിയായ പണ്ടാരപ്പാട്ടമാണെങ്കിൽ ജന്മികുടിയാൻ റ്റുലേഷൻ അതിനെ ബാധിക്കയില്ല.

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PRESIDENT: Those are rare exceptions. When the matter comes before the committee they will have more evidence than we now have. You say that sometimes Pandarapattom lands are treated as Kanapattom lands. There may be one such case in a thousand. When it comes before the Select Committee, perhaps they will find some means to obviate the difficulty.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I think therefore that this bill may be referred to a Select Committee with regard to this one point alone. I may mention that Mr. Tuppan Namputiripad made this proposal in the Select Committee; and the sittings were once adjourned for ascertaining the views of the public. Afterwards, Mr. Tuppan Namputiripad said that some jenmi members were agreeable and that as regards others he could not say definitely unless an enquiry was made. I sent also a circular letter to all the members of the Select Committee, when he made this proposal, to make an enquiry into the matter. In response to that, Mr. K. P. Nilakanta Pillai, who represented Chirayinkil, wrote to me that the jenmies in his constituency were generally agreeable. Other members did not give me any definite answer in the matter. It seems therefore that the request that this point should be enquired into by a Committee is a reasonable one; and I think the Council may agree to it. Looking at it from a practical point of view, I know that members are desirous of getting through this measure as expeditiously as possible. But there is an adjournment motion fixed for to-day and it is not much that can be done with this Bill before that motion is reached. In any event we cannot get through this Bill during this sitting. We would require another sitting or sittings to complete the Bill. In the meantime if the Select Committee is directed to make a report before the next meeting, nobody will suffer substantially and we will all be glad if we can come to a conclusion satisfactory to every body concerned and for all time.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is the basis on which the pattom is fixed? Has it any bearing on the rent derived from the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It varies in different cases.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I suppose it is proportionate to the yield of the property?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If the yield is paid to the Sirkar and to the jenmi, what is it that the kutiyan gets?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the case of pandarapattom lands, the pattom is fixed and it is that that goes as land tax to the Sirkar.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Therefore it is that I say that it is not the whole thing that is given. In the settlement Register it is said as the yield of the land.

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The settlement gives *the pattom*, so called, and not the yield; the pattom is considerably less than the yield.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Sir, as the Chairman of the Select Committee which considered this important Bill, I think I owe a duty to the House to say a few words with reference to some of the statements made by Mr. Tuppan Namputiripad in support of his motion for recommittal of the Bill to the Select Committee. At this stage I do not propose either to oppose or support the motion. I am immediately concerned with one or two things to which he made a reference. I may say at the outset that the impression that I formed of the attitude of Mr. Tuppan Namputiripad in connection with the Jenmi-kutiyan Regulation was that that he had a serious, honest, and an earnest desire on his part to terminate the controversy and restore harmony between the Jenmies and tenants even if it involved a heavy sacrifice on the part of the jenmies. I was thoroughly impressed with that frame of mind. But the limitations of the Select Committee could not be ignored. He told us that it would be desirable that the committee should go on tour throughout Travancore and take the evidence of representative jenmies and tenants in order to ascertain exactly the usages and conventions regulating the relationship between the jenmies and tenants. It struck me at that time that that was a large order in view of the history of this piece of legislation. Very extensive enquiries were made by a committee of officers and non-officials, and their reports had already been submitted to Government. I honestly believe that it will be impossible to achieve anything more satisfactory than the earlier reports had achieved in that direction beyond increasing the tension. It struck me that no useful purpose was going to be served by going through that ordeal once again. I said that there was no such special mandate from the Council when the Bill was committed to the Select Committee. I said it was open to the Select Committee to invite the opinion of a few representative members, experts, who could talk with authority on the questions involved. I asked Mr. Tuppan Namputiripad to give me a list and I promised to consider the question very sympathetically and assured him that it was not the intention of the committee to hurry through this controversial piece of legislation. He agreed to the suggestion. I regret very much that that promised list was never put into my hands-if I am wrong he will correct me. In view of my undertaking to consider the latter proposal sympathetically, he did not press the earlier proposition. Sir, that committee was the biggest committee ever elected by the Travancore Legislative Council. The idea of asking these 22 members to go out touring throughout Travancore struck me as not really practical politics. At the same time the committee was perfectly willing even at some considerable trouble to give them the opportunity that they wanted. On the ground that no opportunity was given for representative jenmies to appear before the committee, Mr. Tuppan

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Namputiripad is not entitled to have the Bill recommitted. But the other question that is raised, as Mr. Kayalam Paramesvaran Pillai pointed out, was raised by Mr. Tuppan Namputiripad. I was absolutely enamoured when I first heard Mr. Tuppan Namputiripad coming forward and saying. "Deduct sirkar tax out of the pattom fixed at the Settlement and give the balance. We shall be perfectly willing". I say, the tenants in a body will vote for it, and all members of the Legislative Council will vote for it; because it would considerably improve the financial position of the tenants. It would be a sure guarantee of the continuity of harmonious relationship between the land-owner and tenant. Hereafter, the jenmies and tenants need not meet on any business relation whatsoever. The amount realised by the Sirkar may be deducted and the balance of the pattom will be handed over to them. It may be 1/6 or 1/8 according to the natur eof the particular land. If that position—which even now appears to me to be really a Herculean task to achieve—could be achieved by the jenmies, I think, the present Bill might be withdrawn. I think this House can congratulate itself on having found a summary solution of the question that has been agitating the minds of all thinking men for several decades past, both here and elsewhere. I said it was very welcome, though it was not strictly within the purview of the committee to go into that question. If I get an assurance that the jenmies, at least a majority of them, would undertake to abide by the suggestion that he made—I felt it was made by Mr. Tuppan Namputiripad in an earnest spirit of purchasing peace—if I had that assurance from the jenmies that they would meet together and by a substantial majority adopt it, the committee would have strength to report back to the Council with these suggestions. As things went on, as the Law Member said, everyone present was asked to consult his constituency. No definite assurance was given because they thought that it was impossible to achieve that ideal dream, or because they did not get the necessary facilities for consultation. Let it not be said, Sir, that the peace, prosperity and material contentment of the agricultural population were sought to be sacrificed on the altar of the traditions and conventions of this House. I have not the slightest objection to the Bill being recommitted to a new committee provided it is a working body composed of a small number who would be able to accomplish the object and report to the House on this question alone. That the Committee was not in a hurry about the Bill will be seen from the fact that they sat for thirteen days; and having regard to the size of the notes that we took, during the course of the discussion, the charge that the committee was in a hurry cannot even be thought of. Everything that can possibly be urged by Mr. Tuppan Namputiripad was urged. But, unfortunately, owing to the operation of the rule of three, they were in a minority and the conventions of the Select Committee did require that the conclusions ought to be reached by a majority. He lost it. It was a minority struggling for existence. But, under the limitations laid down by our Legislative Council Rules, there is no escaping the normal consequences of the Bill being considered by a Select Committee. Personally, Sir, as I

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[Rao. Bahadur K. A. Krishna Aiyangar.]

submitted, I have absolutely no objection to that question being gone into if that is the only question, and if that is going to help us to solve the trouble. I think Travancore may be proud of—

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Does the member think that matters will improve if the bill is recommitted.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I would not speculate. It all depends upon the spirit in which the colleagues of Mr. Tuppan Namputiripad approach the question. If they are quite as anxious as Mr. Tuppan Namputiri for purchasing peace at some substantial sacrifice, I do not see why it should not be realised. Well, at present, as matters stand, it looks like a visionary dream. But what appears to be a dream to us today may be realised in the course of a few weeks or a few months. I would not therefore anticipate the ultimate verdict of the jenmies, the whole thing is in their hands whether to mar it or to mend it, or, once for all to determine the controversy and once more restore the cordial relationship which, I know, subsisted between the jenmies and the tenants in Travancore.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Has any jenmi spoken to the member before about this matter?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Except what transpired at the Select Committee, nobody else mentioned the subject. I was quite as anxious as Mr. Tuppan Namputiripad. If he can purchase peace even at this tremendous sacrifice—take it from me it is a tremendous sacrifice—if he is willing to do it, I am for helping him. I will give him a chance to ascertain the wishes of his colleagues. As matters stood then, probably it was not possible for him to do that. He feels a little more hopeful now. We waited for a sufficiently long period and waiting for a few months longer is not going, in my honest judgment, seriously to impair the interests of the tenants if, as a result of that, we can reach this tempting goal of absolute harmony.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Were not these questions brought to the consideration of the Select Committee?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): You mean the question of the jenmies being satisfied with the pattom fixed in the proclamation minus the pattom that is the only—

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Yes.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is what I said. It *was* brought to my notice. I said the select committee could not take any serious action, as it was beyond the purview of the principle of the Bill, but would make a special report to the Council after consideration, if the reis evidence of general agreement among the jenmies. That was not forthcoming at the time, Naturally we had to ignore it.

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MR. E. V. KRISHNA PILLAI (*Kottarakkara cum Kunnattur*) : If that suggestion is removed from the purview of the Select Committee how is the difficulty going to be got over by the bill being recommitted?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : The Council can give a mandate to the Select Committee. It is an opportunity to help the people to come together. If they are agreeable that this bill might be withdrawn or on the agreed lines modified, no difficulty arises. Whatever we do must have the general consent of the jenmies and of the tenants. If some of you are out for the tenants and fight shy of the proposal there is no helping it. I do not think everybody would. Everybody suffers, both the tenants and the jenmies.

MR. A. THANU PILLAI (*Trivandrum*) : I wish to know whether there is anything now to justify our expectations that did not exist at the time.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Mr. Tuppan Namputiri told me that he was unable then to guarantee general agreement. Now all the Jenmi members—

MR. A. THANU PILLAI (*Trivandrum*) : Had not Mr. Tuppan Namputiripad some weeks to consider the matter and to consult other jenmies?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I do not exactly remember whether it was weeks or days; we allowed him reasonable time.

MR. A. THANU PILLAI (*Trivandrum*) : The matter was not merely in the Select Committee.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I do not think it formed part of the proceedings. As I said before, we will give them more time and see how matters improve.

MR. A. THANU PILLAI (*Trivandrum*) : What I say is Mr. Tuppan Namputiripad had ample time to consult other jenmies. He did consult other jenmies. Then he came and told us that they were not agreeable.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : It was just in the middle of the discussion that this idea was suggested, and, without discontinuing further discussion on the bill, I said "All right".

MR. A. THANU PILLAI (*Trivandrum*) : I wish to know whether there is any better basis for the hope now.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think there is the assurance by all the jenmi members.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : But did you get any assurance from Mr. Jathavedan Namputiri; I believe all that he said was that if all members agree, he would also agree.

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Has he said that they were not agreed?

MR. S. KRISHNA PILLAI (*Karunagapalli*): What is it that the other gentleman said?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): You can put the question to Mr. Jathavedan Namputiripad. I thought there was absolute agreement amongst the jenmi members. I also understood it so. If people talk with mental reservation we cannot help it. As I understood it, Mr. Jathavedan Namputiripad was equally anxious like his colleagues. If this door will help them to reach the land of peace, I am for keeping it open.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): What will be the position in case a majority of the witnesses do not take the view of Mr. Jathavedan Namputiripad?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The whole thing would go.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Supposing a majority of the witnesses examined do not favour the Bill; will the present members stick to their own opinion?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): If so, it would be beyond the legitimate functions of this House to force its views on an unwilling majority. If there is a small minority, in the larger interests of public safety their opinions may be overruled though taken into consideration.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Supposing there are some vital changes made, should not the Legislature give effect to them?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): If there is no general agreement, effect need not be given to the proposal.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): There is a certain promise held out by the jenmi members. Today they are agreeable. On enquiry, if the majority of the witnesses turn round and are opposed to that view, will these gentlemen hold their view or change it?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They have given their individual opinions only.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I think it would be unfair and useless to ask them to stick to their former opinion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): My question is that if they hold one view now, why should they change it according to time?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): They are at perfect liberty to do that. When they find later on that they could not persuade the bulk of the jenmies they will fall in line with the rest of their colleagues. Nothing dishonest, nothing irregular about it. They seem to think, and honestly too, that they can; that is the point.

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MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Their colleagues are here.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Only a couple of them are here. If all jenmies were as well-disposed as Mr. Tuppan Namputiri, I think this controversy would not have assumed this terrible shape.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : So, at all events, the experiment is worth making.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Yes, that is my honest opinion.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Do you understand the mover to mean that the bill be referred back to the Select Committee with instructions that this committee need consider only this point and none else?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is the only point with which this bill ought to be sent back to the Select Committee. I am not for enlarging the scope of the reference. If this question is to be investigated and if that is going to help us substantially, I say, "Don't stand in the way." But if they want the whole controversy to be revived, I vote against the proposition for recommittal.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : May I know whether this Bill has to be recommitted, or the present proposal alone?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The idea is, the whole bill should be recommitted with specific directions that the committee should enquire into this question alone.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : Why should the whole Bill be recommitted?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is the procedure. The only way by which you can do that is to appoint a select committee with specific directions for doing its work. I have very clear definite notions about the legality and all the rest of it. I think it is all regular, and strictly in accordance with the Standing Orders.

It is open to the House later on, after getting a report of the Select Committee on that particular question, to form definite conclusions as to whether it will close the controversy on the lines of the recommittal or not. At present, we have to ascertain a question of fact whether the majority of the jenmies are agreeable to it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is evidence to be taken from the tenants also? May I know whether this proposal is acceptable to them?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): If Mr. Asan represents the tenants and if he wants to take their evidence, I have no objection.

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MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I wish to know whether the views of the tenants also are not to be ascertained ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Certainly. The order of reference will not limit the judgment of the Select Committee in the matter of examining jenmies and their *kariasthans* alone. All of us are anxious to finish the business as soon as we can. Those of you who are public workers and who have got influence in different parts of the country may conveniently hold meetings and pass resolutions and say, "We are agreeable to it" or "We are not agreeable to it". One or two individuals may represent a particular area. Some might be *for* and some *against*, in the Select Committee too. Similarly, the jenmies may meet together in different centres and say "We are agreeable to the proposal put forward by Mr. Tuppan Namputiri" or "We are not agreeable". Of course, you know, oftentimes you see in newspapers that half-a-dozen people meet together in the name of the citizens of Travancore and pass resolutions. All of us are familiar with that. Whenever you find any expression of dissent the Committee may have the power of summoning representative witnesses, either from the ranks of tenants or jenmies, to be examined.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Suppose the Committee is not able to submit its report before the next meeting of the Council?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : We are legislating for all time to come.

PRESIDENT : He is asking, what is to be done if the report does not come before the next meeting of the Council.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : When the report comes we will think of that question.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : So, this question will come only after the report of the committee, however long it may be delayed?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*): Certainly, this Bill and the report of the Select Committee are not to be indefinitely postponed. It must come as soon as it can; if possible, before the next meeting, or at a given time. You, Sir, can limit the time within which the report should be submitted. You can ask the Committee to send up its report within three months or six months; give the committee just the time that the Council thinks reasonable.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*) : If even within that fixed time the Committee, in spite of its best intentions, is not able to submit the report, will the Council go on with the Bill in hand ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*) : It is in the discretion of the President to allow an extension of time or not.

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Sir, one of two courses is possible. You fix a definite period within which the Committee should submit its report. If it does not submit its report, do not give an extension of time. Let us proceed with the Bill as it is. If you are satisfied, Sir, that perhaps a week's time or a fortnight's time will enable the committee to finish the work, let us have that. If the Committee were to ask for another year it is open to you, Sir, either to reject it and to proceed with the consideration of the Bill.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : We have only one other sitting in the month of Medom. If the report does not come by that time the chance comes only this time next year, as there is the Budget Session intervening. That means, the Committee will get one year's time.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : That aspect of the matter may be considered when the report is received. In view of the importance of the matter there is nothing to prevent convening a special session. The Select Committee took thirteen days, and the council is not going to take more than a couple of days if things go well.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : I suppose an amendment to 1071 Regulation is necessary.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : On this question there is no difference of opinion.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Therefore a special session may be necessary for expediting work.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Everything should be done as quickly as possible, and the members of the Select Committee who may be nominated will be reasonable men.

MR. A. THANU PILLAI (*Trivandrum*) : Is it that evidence be taken only on this point ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think so.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*) : Suppose there is some important evidence purposely kept back by the jenmi now; and subsequently the jenmi member engineers an amendment like the present one: What is to be done ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : The Chairman knows his duty if he finds that the evidence is purposely delayed; and the Council also knows how to deal with that. Only give them one more chance and see if matters improve.

MR. S. KRISHNA PILLAI (*Karunagapalli*) : Why not we draft an *ex parte* report if any mischief is attempted.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Yes, if parties keep back, the judge knows his duty. Similarly the chairman of the committee is expected to do his duty. I hope it is an experiment worth trying. I do not put it on a higher basis than that.

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MR. S. KRISHNA PILLAI (*Karunagapalli*): Personally, I would oppose the proposal made by Mr. Tuppan Namputiri for the simple reason that the Regulaltion V of 1071 is more than thirty-six years old. The necessity for introducing amendments to this regulation was felt nearly ten years after the Regulation was passed, and there have been representations in the Popular Assembly, representations made by Government officers, representations made by public bodies; and the Government, after being satisfied that there was a necessity for going into the matter, appointed a commission in 1915. Its report was received and it would appear that they examined over a thousand witnesses, spent a lot of time in drafting the report, and submitted a very learned report. But, unfortunately, as the kutiyans were, and even today are, not in the good books of those who are responsible for carrying on the Administration, the report happened to be dismissed. Fourteen years after, a Bill was introduced by a non-official member; and that bill had to be withdrawn and a round table conference was called in. Every point was discussed; and the Government undertook to introduce into the Council a draft Bill. That Bill was introduced, and a long time after the date of the introduction, it was referred to a Select Committee. The Select Committee was at the Bill for a pretty long time. That submitted its report in Dhanu 1106. We are at it one year after the date of the report, and today we are surprised by a suggestion coming from some jenmi member that the whole Bill be recommitted to another select committee for considering the question whether the jenmies will not either voluntarily or willingly undertake to accept seven times the Sirkar tax that is now being paid on kanapattom lands. It is a very alluring prospect to the kutiyan, and the kutiyans, gullible as they are, simple men as they are, might very easily fall in with the proposal.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member think that it is a good proposal and that it is advantageous to the kutiyans?

MR. S. KRISHNA PILLAI (*Karunagapalli*): I believe so. I am opposing, for the reason that it comes in like a surprise, like a vision that we see in a dream which we are not at all going to realise. That is my fear. I may even say that it is something like a bait to catch the fish withal. This is a promise held out to us and we are very much willing to catch it. But my question is whether Mr. Jathavedan Nambutiri's assurance or Mr. Tuppan Namputiri's assurance or his colleagues' assurance is in any way going to help us; because this is a proposal which comes up or which is being sprung upon this House all on a sudden. If it were a proposal made after due enquiry and if there is any evidence which the jenmi members are able to place before this House which would convince this House that there is a general opinion, or, at any rate, a current opinion amongst jenmies to accept this proposal, I have absolutely no objection in accepting the suggestion made here, namely, for referring back the Bill to a Select

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Committee. It is only the opinion of three members who are present here. I would rather personally be unwilling to accept it for the simple reason that the little amendments that we have been asking for were often withheld. Every time the question comes up for consideration some obstacle is placed before it and the matter is not allowed to be taken for consideration by the House. At one time it was the wrong sentence that was found in the report of 1915. It was not our fault. Mr. A. G. Menon drew up a bill and that was thrown away. Then there was the Round Table Conference where everybody hoped that they would agree, and a Bill was introduced. That Bill would not be accepted either by the jenmies. It is now found that the jenmies are of opinion that radical changes have been proposed by the Select Committee and for that reason, if possible they would like to see that the Bill is not placed before this House. If that is the object with which this proposal is made, there is nothing in it; and if we are to fall in with their views, I suppose, they gain their object by another means, by taking away the Bill from discussion. If the members of this House are of opinion that the offer is a practical one or one that has sincerity in it, I have absolutely no objection in referring it to another Select Committee. The House has to be convinced of it. If they can do so either by placing some document or some letter or petition which is written by some jenmies authorising these gentlemen, the jenmi members here, to propound this view, I think we may say that there is some *bona fides* about this.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Is not Mr. Tuppan Nambutiri a representative jenmi, elected for the council?

MR. S. KRISHNA PILLAI (*Karunagapalli*): Yes; may be. I understand that. But when it comes to a matter affecting the jenmies' purse, his opinion may not be binding on them. You will find a large number of jenmies have drawn up a very costly memorandum and have sent it up with the help of their *kariasthans*.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I said that Mr. K. P. Nilakanta Pillai consulted the jenmies of his constituency. They were generally agreeable.

MR. S. KRISHNA PILLAI (*Karunagapalli*): If evidence like that is forthcoming, it would be of some help. If the jenmies themselves do not say anything like that, how far we shall rely upon their hopes I do not know. But if their hopes are like those of the kutiyans I think, waiting and attaching any importance to their statement are not good. We can as well proceed with the Bill. We will grant the kutiyans whatever House is willing to grant them. They shall not be held back from their legitimate claims which they were clamouring for during the last thirty years.

MR. RAMA VARMA RAJA (*Edavagai*): ഈ വലിയ മെമ്മോറിയലിൽ ഒപ്പിട്ടിട്ടുണ്ടായിരുന്നവരെയാണോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): മിസ്റ്റർ ശങ്കരൻനായർ തയ്യാറാക്കിയിട്ടുള്ളതാണെന്നറിയാം.

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MR. RAMA VARMA RAJA (*Edavagai*) : എത്രപേർ അതിൽ ഒപ്പിട്ടിട്ടുണ്ടായിരുന്നു?

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഞാനാവശ്യപ്പെട്ടപ്പോൾ മെമ്മോറിയൽ എനിക്കതന്നില്ല; എന്നോട വിശ്വാസമില്ലാത്തതുകൊണ്ടായിരിക്കാം തരാത്തത്.

MR. RAMA VARMA RAJA (*Edavagai*): അതിൽ രണ്ടു ജന്മിമാരെ ഒപ്പിട്ടിട്ടുണ്ടായിരുന്നെന്നുള്ള കാര്യമറിയാമോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): തിരുവിതാംകൂറിലെ മറ്റു ജന്മിമാരെക്കാളും വസ്തുക്കളുള്ള ആഡംബരപൂർമനയ്ക്കൽ നമ്പൂതിരിപ്പാടാ ഒപ്പിട്ടിട്ടുണ്ട്.

MR. RAMA VARMA RAJA (*Edavagai*): ആഡംബരപൂർമനയ്ക്കൽ നമ്പൂതിരിപ്പാടിന്റെ അഭിപ്രായം ജന്മിമാരുടെ അഭിപ്രായമല്ലെന്നറിയാമോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): അദ്ദേഹത്തിന്റെ അഭിപ്രായം സ്പീക്കരിച്ചില്ലെങ്കിൽ നിങ്ങൾക്കൊരു കാര്യവും സാധിക്കയില്ല.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): തിരുവിതാംകൂറിൽ മറ്റു വലിയ ഭാഗം വസ്തുക്കളും ആഡംബരപൂർമനയ്ക്കലേക്കാണെന്നതൊന്നുണ്ടോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): ഗണ്യമായ മറ്റു ഭാഗം വസ്തുക്കളും ആഡംബരത്തിനുള്ളതുണ്ടെന്നതന്നെ ഞാൻ വിശ്വസിക്കുന്നു.

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): ധാരാളം വസ്തുക്കളുള്ള ജന്മികാർ വേറെയും ഉണ്ടെന്നു വിശ്വാസമുണ്ടോ?

MR. S. KRISHNA PILLAI (*Karunagapalli*): തിരുവിതാംകൂറിൽ ഇതുപോലും ചെയ്യുന്ന വേറെ ജന്മിമാരുണ്ടോ എന്നെനിക്കറിഞ്ഞുകൂടാ.

Sir, I am of opinion that the House must be convinced that the offer that is now made is *bona fide*, and until that is done, I, for my part, would oppose any proposal to recommit the Bill to a Select Committee for the simple reason that the demands that we have been making are long pending, and if all that we demand is not conceded to us, at least some of them might be conceded as early as possible. With these few words, I oppose the proposal to recommit the Bill to a Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Sir, at the risk of being misunderstood and misrepresented, I wish to support the proposal for recommital on certain specific conditions. One is that if no decision could be arrived at regarding this Bill before the next session of the Legislative Council, we must drop any idea of getting an assurance or an understanding regarding this point, and drop it for ever and go on

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with the Bill. Secondly, the jenmi members here, all of them, individually of course, should categorically assure that *they* are for this sort of arrangement and that they will, in their individual capacity, do everything to induce their constituents to come to an understanding like this.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Will there be a corresponding assurance from the members of this House that they would induce the tenants to accept this proposal?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I think it is common ground, and I do not think anybody would seriously contest that point. So far as the kutiyans are concerned, though in some exceptional cases, they stand to lose if they agree to this proposal, I think, taken as a whole, they would accept it because, as my friend Mr. S. Krishna Pillai stated, the prospect is so alluring, and untill the proposal comes into actual reality there can be no peace. I am aware of the fact, Sir, that some kutiyans, according to this arrangement, may have to incur some loss. But, looking at the whole question, not from the point of monetary gain or loss, but from the point of view of self-respect, I think the kutiyans as a whole, taking a long vision and taking every circumstance into consideration, ought to accept this proposal which does away for ever with so many complications that may lead them to Court that will encourage them to go on fighting with each other. I attach more importance to the proposal for re-committal because, if an agreement on this basis is possible, the feudal aspects of the tenancy would be done away with for ever. I think most of the kutiyans smart under the exactions of the jenmies. The fact that they have to give one fanam or two fanams whenever a child is born in the family of the jenmi, that they have to contribute when *adiyanthrams* occur— this smack of feudal obedience, feudal slavery, is a point that would materially be gained by putting an end to this trouble once and for all, by fixing a sum, whatever that be, to be given to the jenmi annually. But it may not be possible to achieve this end without sacrificing something on either side. I was tempted to appreciate very considerably the pessimistic point of view expressed by my friend Mr. S. Krishna Pillai with regard to the *bona fides* of this proposal. I also first thought that it was merely a proposal to prolong the agony and avoid the evil day. But even granting that it may be so, I think it is better to give them a chance to prove to the whole world and to this House that they deliberately did it only to prolong it. After all, from the practical point of view we cannot proceed much and we cannot do much with regard to the shaping of this Bill in this Session. That is a very important point to be taken into consideration; and that is why I support the recommital of the Bill on the specific condition—*only on the specific condition*—that if there is no possibility of coming to an understanding before the next session, we should give up all hope and proceed with the Bill as it is. I think there is not much to lose in the meantime either way; and it is better not to avoid the recommittal in view of the prospect of settling this question amicably and without any confusion for all time to come.

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MR. S. KRISHNA PILLAI (*Karunagapalli*): But the amendment moved by Mr. Tuppan Nampudiripad, as it is, does not lend itself to any such interpretation.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): If the Bill is to be re-committed to a Select Committee merely on the basis of Mr. Tuppan Namputiripad's amendment, I would oppose it tooth and nail; and I would certainly oppose it with all the vehemence that I can command. Because there is a prospect of ending this whole question in a clean, clear-cut fashion for all time, and litigation can be avoided both on the side of the jenmies and on the side of the kutiyans, I support the re-commital. If honestly all the jenmi representatives here give an undertaking that they are agreeable to such an understanding being arrived at, and that they, in their individual capacity, will do everything to arrive at such a conclusion, I think we ought to consider, in fairness, the amendment for recommittal. If as Mr. Krishna Pillai pointed out, it will lead to an indefinite delay, I also would certainly oppose the proposal. It is only on the clear and specific understanding that, if there is no possibility of coming to an understanding before the next session of the Council, the whole prospect of coming to a settlement should be given up and the Bill proceeded with that I now accept the proposal. There is not much to lose because of the fact that we have not persisted in our claims obstinately but have left the chance of an amicable settlement being come to. Moreover we can show to the world that we have given every possible chance to the jenmi to come to terms, reasonable terms. This is the last chance that we are giving them; and we think it will stiffen us further, and make us more insistent hereafter to refuse any alluring chance that they may put forward at another time of the meeting. In view of the fact that we are not going to gain anything if we proceed with the Bill after objecting to the proposal for recommittal, and in view of the fact that there is not much to loose if the bill is submitted after recommittal before the next session of the Legislative Council, I give a chance for a settlement of this question.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): You are going to make a virtue of necessity. The Bill, as it is, could not be proceeded with; and therefore you are giving a chance. Not because you think one more chance ought to be given?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): In view of both. As a matter of fact even I did not believe the *bona fides* with which they made this proposal. I want to meet that argument, and the whole question has to be considered from the practical point of view.

MR. P. S. MAHOMED (*Nominated*): ഞാനൈഫെഡിയിൽ വിശ്വസിക്കാതിരിക്കുന്നതിനുള്ള കാരണമെന്താണ്?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I am not prepared to ascribe any reasons for not believing them. I say, if there is doubt with regard to the *bona fides*, even granting that there is no *bona fides*, we can take it that there is not much loss to our interests. That was my point of view. So it is that I propose that we should give this chance;

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because as one who has tried to make some study of this problem, I wish to give one more chance so that the whole question could be finally solved, the feudal aspects of it done away with once for all and there may be an abiding peace between the jenmies and the kutiyans. I think no member of this House will gainsay the fact that they all desire the amicable relations of these two classes of people; and I am sure that members will take into consideration the aspect of self-respect that is involved in the term "Jenmi" and "Kutiyan." I am very much concerned with that and I think it will not be improper on my part to go to this extent for trying to solve the problem in that way. I do not know whether the other jenmies will be as generous and far-sighted as Mr. Tuppan Namputiripad. I do not believe that for a moment; but yet I do wish to give them a chance.

MR. S. KRISHNA PILLAI (*Karunagapalli*): What was the view of Mr. Jathavedan Namputiripad?

MR. K. KUNJU KRISHNA PILLAI (*Quilon*): Mr. Jathavedan Namputiripad too has categorically stated that he would concur with the views of the other jenmi members of this House and will induce the jenmies to agree with this view. Unless, all the representatives of the jenmies do that, I am not for the recommittal. That is why I categorically stated the conditions under which I support the proposal for recommittal. I am not for the recommittal of any other point except that which has been raised. On these specific understandings, I support the recommittal of this Bill till the next meeting of the council.

MR. A. THANU PILLAI (*Trivandrum*): I suggest that some of the jenmi members of this House should give an assurance for the recommittal of this Bill on this condition; because I find that so far as the members generally are concerned, there is no definite idea as to what the jenmi members themselves are able to tell us? Let us have some definite assurance as to what their position is and whether they, in their individual capacity, are prepared to support the recommittal of the Bill on the conditions already mentioned? Mr. Krishna Pillai has his own doubts, and every member has.

PRESIDENT: You have not heard them because you were not present.

MR. A. THANU PILLAI (*Trivandrum*): I think definite statements would be profitable because conditional acceptance is no acceptance at all. I wish to know whether they are *against* the proposal or whether they are *for* it.

PRESIDENT: I believe they have all stated that personally they are agreeable to this course.

MR. S. KRISHNA PILLAI (*Karunagapalli*): I submit, Sir, that if Mr. Jathavedan Namputiripad's view is to be accepted that would tantamount to a negation of the proposal accepted by the House.

PRESIDENT: I think he also stated that he would agree with the views expressed by his colleagues.

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MR. S. KRISHNA PILLAI (*Karunagapalli*): He was asked the question, and he said that he would have no objection if his colleagues agreed. This is only an additional statement. Anyhow, let us have an assurance on a firm footing in regard to this matter at least so far as it relates to the three or four jenmi members present here. If they will give us their assurance, I shall myself withdraw my objection.

PRESIDENT: I trust it may be taken that there will be an assurance from the non-official members of the House that, as far as possible, if there are any tenants who are not agreeable to this course, they will try to persuade them as it would perhaps be unfair to get a purely one-sided assurance.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Some kutiyans may not agree to this proposal.

PRESIDENT: That is why I said an assurance from the members that they would try to make the tenants believe this to be the proper course is necessary, just as an assurance from the jenmies was required.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): ഇപ്പോൾ ഇവിടെ നടക്കുന്ന വാദം ജന്മിമാരുടെ ഭാഗത്തുനിന്നും വന്നതാണ്. ഇവിടെ കുടിയാൻ പ്രതിനിധികളായി ആരും തന്നെയില്ലെങ്കിലും ജന്മപ്രതിനിധികൾ ഉണ്ടെന്നു സമ്മതിക്കാം. സിലക്ട് കമ്മിറ്റിയിലുണ്ടായിരുന്ന രണ്ടു ജന്മിമെമ്പർമാരും അന്നു ഈ അഭിപ്രായം പ്രസ്താവിക്കാതെ ഇപ്പോൾ കൊണ്ടുവന്നിരിക്കുന്നതു നോക്കുമ്പോൾ ഈ ബില്ലിന്റെ വിചാരണ നീട്ടിക്കൊണ്ടുപോകുന്നതിനായി അവർ ശ്രമിക്കയാണോ എന്നു സംശയിക്കേണ്ടിയിരിക്കുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): സിലക്ട് കമ്മിറ്റിയിൽ മി. തുപ്പൻനമ്പൂതിരി ഈ അഭിപ്രായം പറഞ്ഞു.

PRESIDENT: മി. തർകൻ, അങ്ങനെ സംശയിക്കേണ്ട ആവശ്യമില്ലെന്നു മി. കുഞ്ഞുകൃഷ്ണപിള്ള പറഞ്ഞതിൽനിന്നും മനസ്സിലായില്ലേ?

If the time given is only till the next session and is not to be extended, there is nothing to be lost; and we could by that time explore every avenue for arriving at a compromise.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I wish to make a few observations on the motion before the House. It has been generally presumed by some of the members that the offer made from the jenmi side is so alluring that there is not much chance of the tenants not accepting it. A proposal was made by Mr. Tuppan Namputirippad in the Select Committee and on that date many of the kutiyans from the northern taluks of the State were

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present. The Select Committee was adjourned on the understanding that the members would ascertain as far as possible the views of the tenants about the offer made by Mr. Tuppan Namputiripad and would come prepared with their views on the matter. Though I could not claim that I have made exhaustive investigation on the matter, as far as my enquiries go, I have to state that the kutiyans in general are not willing to accept the offer made by Mr. Tuppan Namputiripad. The difficulty raised by some of them was that the jenmom properties were usually classed as belonging to higher *tharams*.

PRESIDENT: There may be some who feel like that; but there may, on the other side also, be similar feeling.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): All that I want to say is that one could not say that the offer is very alluring to the tenants as a whole. I asked some of the members coming from the north, from Kottayam and other places, when the Select Committee met for the second time, whether, in their parts, the tenants were prepared to accept the offer. They also were unable to give a definite answer. That is the reason why I asked the Deputy President, when he made his speech, whether the Select Committee would take the evidence of the tenants also in order to ascertain their views.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know whether it is the opinion of the member that the majority of the kutiyans or the kutiyans' representatives should be examined and their opinion taken into consideration?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not say that the majority of the kutiyans in Travancore should be examined. We refer the Bill to a Select Committee, and the Select Committee is to examine certain important witnesses and come to a conclusion. All that I would suggest is that without ascertaining their views it would not be proper to presume that they are in agreement with this proposal.

PRESIDENT: I do not think there would be any objection to examining some important representatives of the kutiyans.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What I say is that without taking evidence it would be hasty to presume that the proposal is acceptable to the kutiyans as a whole. For my part, I think that the offer made by Mr. Tuppan Namputiripad may be acceptable, and if an assurance, from the jenmi members of this House to the effect that they would persuade their colleagues to accept the proposal, is required, I think that the members of the Council must undertake to persuade the people of their constituencies, jenmies and kutiyans alike, to inquire into this proposal and thus settle the matter which has been pending for centuries.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member know that the policy of obstruction was pursued by the jenmies and not by the kutiyans?

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MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I do not think that the jenmies were pursuing a policy of obstruction with regard to this matter because we know that they could not obstruct the proceedings of this Council or the work of the Government to such an extent as to obstruct further proceedings. Of course they were anxious that a legislation, which will in any way deprive them of their present emoluments, should not be passed at an early date. But, other circumstances also tended to protract the proceedings and delay the passage of the Bill.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇപ്പോൾ ഈ ബിൽ ആലോചനയ്ക്കെടുക്കാതെ വീണ്ടും ഒരു സിലക്ട് കമ്മറിക്കയച്ച കാലം ദീർഘിപ്പിക്കണമെന്നുള്ള അഭിപ്രായത്തോട് യോജിക്കുവാൻ എനിക്കു നിവൃത്തിയില്ല. എന്തെന്നാൽ ഈ രാജ്യത്തെ ജനങ്ങളുടെയിടയിൽ വലിയ അസ്വസ്ഥതയുള്ള വിഷയമാണ് ഈ ജന്മി കുടിയാൻ കാര്യം. ഗവണ്മെൻറിന്റെ അശ്രദ്ധകൊണ്ട് ജനങ്ങളുടെയിടയിൽ ഇതിലധികം അസ്വസ്ഥതയുളവാക്കിയിട്ടുള്ള ഒരു കാര്യം ഉണ്ടെങ്കിൽ അതു പബ്ലിക്ക് സർവ്വീസിലെ നിയമനക്കാര്യം മാത്രമേയുള്ളൂ. ഫൻഫ ർ-ൽ ഒരു കമ്മിറ്റി ഒരു റിപ്പോർട്ടും ബില്ലും ഗവണ്മെൻറിൽ സമർപ്പിച്ചു. ആ കമ്മിറ്റിയിൽ ഞാനും ഒരംഗമായിരുന്നു. ഹർജികൾവഴിയായും പ്രജാസഭാവഴിയായും ഗവണ്മെൻറിനോട് അവതരിപ്പിച്ചാവതരിപ്പിച്ച സങ്കടം പറഞ്ഞുകൊണ്ടിരുന്നതിന്റെ ഫലമായിട്ടാണ് കമ്മിറ്റിയുണ്ടായതു്. ആ കമ്മിറ്റി വളരെ നാൾ രാജ്യം ഒട്ടുക്കു ജനങ്ങളുടെയിടയിൽ സഞ്ചരിച്ച് അവരുടെ അഭിപ്രായങ്ങളും രേഖകളും പരിശോധിച്ചു തയ്യാറാക്കിയബില്ലാണ് ഗവണ്മെൻറിൽ സമർപ്പിച്ചതു്. എന്നുകൊല്ലമായിട്ടും ഗവണ്മെൻറ് അതിനെ ആദരിച്ച യാതൊരു തീരുമാനവും ഉണ്ടാക്കിയില്ല. ഗവണ്മെൻറ് ഇങ്ങനെ യാതൊരു തീരുമാനവും വരുത്താത്തതുകൊണ്ടു വീണ്ടും പ്രജാസഭയിലും നിയമസഭയിലും ഇതിനെ സംബന്ധിച്ചു ഗവണ്മെൻറിനോട് ജനങ്ങളുടെ സങ്കടങ്ങളെ അറിയിച്ചുകൊണ്ടിരുന്നതുകൊണ്ടാണ് ഈ രൂപത്തിലെങ്കിലും ഒരു ബിൽ ഇവിടെ വന്നതു്. ഇതു ജനങ്ങൾക്കു തൃപ്തികരമായ ഒരു ബില്ലല്ല. എങ്കിലും ഈവാദം ഒരുവിധം അവസാനിക്കുമെല്ലോ എന്നു വിചാരിച്ചിരുന്നപ്പോഴാണ് വീണ്ടും ഇതൊരു സിലക്ട് കമ്മിറ്റിയയച്ചു തെളിവെടുക്കണമെന്ന ജന്മിഭാഗത്തുനിന്നും ആവശ്യപ്പെടുന്നതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഒരു പായിൻറിനെപ്പറ്റി മാത്രമേ തെളിവെടുക്കണമെന്നു പറയുന്നൊള്ളൂ.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പായിൻറ ഒന്നേ ഒള്ളുവെങ്കിലും പലരേയും കണ്ടു ചോദിക്കണമല്ലോ.

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PRESIDENT: അതിലേക്കുള്ള സമയവും ഖണ്ഡിതമായി നിശ്ച യിച്ചാണ് സിലക്ട് കമ്മിറ്റിക്കയക്കുന്നത്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അതു വളരെ നല്ലതു തന്നെ. എന്നാൽ ഒരു പായിൻറിൽ ഇതവസാ നിക്കയാണെങ്കിൽ കൊള്ളാം. അതാണ് സംശയം?

PRESIDENT: അടുത്ത കൗൺസിൽ മീറ്റിങ്ങുവരെ അവക്കൊ രു സമയം കൊടുത്തു പരീക്ഷിക്കുന്നതിനെന്താണ് നഷ്ടം?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): കായ്യം അസാദ്ധ്യമാണെന്നു എനിക്കു തോന്നുന്നു. ഗവണ്മെൻറിലേക്കു കൊടുക്കുന്ന നികുതിയുടെ തോതുകണക്കാക്കി മിച്ചവാരവും മറ്റു ജന്മി ഭോഗങ്ങളും ശരിപ്പെടുത്തണമെന്നാണല്ലോ പറയുന്നതു്. കരത്തേയും മിച്ചവാരത്തേയും സംബന്ധിച്ചു നോക്കുകയാണെങ്കിൽ തത്വത്തിൽ രണ്ടും രണ്ടാണ്. ജന്മികളോടും കുടിയാന്മാരോടും ചോദിച്ചാൽ വിസ മ്മതിക്കുന്നവർ ധാരാളം കാണും. അപ്പോൾ പുറകോട്ടു പോകേണ്ടിവ രും. അനേകം ആളുകളുടെ മൊഴികളിൽ നിന്നും രേഖകളിൽ നിന്നും ഞാൻ മുമ്പു മനസ്സിലാക്കിയിട്ടുള്ള ചില കായ്യങ്ങൾ ഇവിടെ വിവരി ക്കാം. എന്നിട്ടും ഇതു വീണ്ടും ഒരു സിലക്ട് കമ്മിറ്റിക്കയക്കണമെ ന്നാണ് തീരുമാനിക്കുന്നതെങ്കിൽ എനിക്കു വിരോധമില്ല.

നികുതി നിശ്ചയിക്കുന്നതു വസ്തുവിൻെറ ഗുണദോഷത്തെ ആധാ രമാക്കിയാണ്. ആ തോതു മാത്രമല്ല മിച്ചവാരത്തിനുള്ളതു്. വസ്തുവി ൻെറ ഗുണദോഷം, കാണത്തുക ഇവ രണ്ടു കാരണങ്ങളിൽ നിന്നുമാണ് മിച്ചവാരമാകുന്ന കായ്യം ഉത്ഭവിച്ചിട്ടുള്ളതു്. ഒരാൾ ഒരേക്കർ നില ത്തിനു ഫ 0 0 പറ നെല്ലോ അല്ലെങ്കിൽ നൂറു പണമോ അത്രംകൊ ടുത്തിരിക്കാം. മറ്റൊരാൾ അതുപോലെയുള്ള നിലത്തിനു ഉ ൻ 0 പറ നെല്ലോ അല്ലെങ്കിൽ ഉ 0 0 പണമോ അർത്ഥം കൊടുത്തിരി ക്കാം. ഇവർ രണ്ടു പേരും തമ്മിൽ മിച്ചവാരത്തിൻെറ കായ്യത്തിൽ യോജിച്ചു ഒരേതുകയാക്കുവാൻ സമ്മതിക്കുകയില്ല. എന്നാൽ ജന്മിമാ രും അങ്ങിനെതന്നെ. ലാഭം ചിലർക്കും നഷ്ടം മറ്റു ചിലർക്കുമായിരിക്കും. ശരാശരി തട്ടിക്കഴിച്ചു കൊള്ളാമെന്നു വിചാരിക്കാൻ നിവൃത്തിയില്ല. ചിലർക്കു വലിയ ലാഭം വരുമല്ലോ എന്നു വിചാരിച്ചു മറ്റു ചിലർ അധി കം നഷ്ടം സഹിക്കുവാൻ സമ്മതിക്കുമെന്നു തോന്നുന്നില്ല. ഓരോ ദേ ശത്തും ഓരോ വിധമായിരിക്കും നടപ്പു. ഇതിനു ഒരു ഐകരൂപ്യം വരുത്തിക്കളയാമെന്നു വിചാരിച്ചാൽ അതു മനുഷ്യർ ഒരേ വണ്ണത്തിലും നീളത്തിലും ഇരിക്കണമെന്നു നിശ്ചയിച്ചു അവരിൽ പൊക്കം കുറഞ്ഞ

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വരുടെ പൊക്കം വർദ്ധിപ്പിക്കാനും കുടിയവരുടെ പൊക്കം കുറയ്ക്കാനും പുറപ്പെടുന്നതുപോലെ സാഹസമായി തോന്നിപ്പോകുന്നു. മിച്ചവാരക്കാര്യത്തിൽ അതുവിവിധത്വവും പരസ്പരം യോജിച്ചു ഒരേതോതുവയ്ക്കുവാൻ പാടില്ലാത്ത വണ്ണമുള്ള അന്തരവും കാണുന്നുണ്ട്. എന്നാൽ എല്ലാത്തരം ജന്മിഭോഗങ്ങൾക്കുമായി ഒരു ക്ലിപ്തസംഖ്യ പ്രതിവത്സരം കൊടുപ്പിക്കുന്നതിനു നിശ്ചയിച്ചാൽ അതു സൌകര്യം തന്നെയാണ്. ഈ സൌകര്യത്തെ നോക്കുമ്പോൾ ചില ജന്മിമാക്കും കുടിയാന്മാക്കും വലിയ നഷ്ടങ്ങളുണ്ടായേക്കും. ചില ജന്മിക്കു മുമ്പു കിട്ടിക്കൊണ്ടിരുന്നതിൽ നാലിലൊന്നേകാട്ടിയൊള്ളൂ എന്നു വന്നേയ്ക്കാം. അതു പോലെ തന്നെ ചില കുടിയാന്മാക്കു മുമ്പു കൊടുത്തു കൊണ്ടു വന്നിരുന്നതിന്റെ നാലിരട്ടി കൊടുക്കേണ്ടതായും വരും. കാണഅർത്ഥത്തിനു പലിശയും വസ്തുവിനു പാട്ടവും ആണ് കണക്കാക്കുന്നതു്. പാട്ടം എവിടെ കുടിയിരിക്കുന്നുവോ അവിടെ പലിശയും കുടുതലായിരിക്കും. അതിനാലാണ് പലിശകുറയ്ക്കുവാൻ പാടില്ലാത്തതു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): സാധാരണ പണ്ടാരപാട്ടം വസ്തുക്കൾ പതിച്ചു മേടിക്കയാണെങ്കിൽ സർക്കാരിലേക്കു കൊടുക്കേണ്ട തറവിലയും വളരെ കുടുതലായിരിക്കയില്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): വസ്തു കാണം എഴുതിയപ്പോൾ ഇന്നത്തെ നിലയല്ലായിരുന്നു. അതുരങ്ങൾ അധികവും വളരെക്കാലത്തിനു മുമ്പാണ് ഉണ്ടാക്കിച്ചതു്. അന്നു പലരും നെല്ലായിരിക്കും കാണഅർത്ഥം കൊടുത്തിട്ടുള്ളതു്. ഇന്നത്തെ വിലയ്ക്കു അതു പണമാക്കി പലിശവച്ചാൽ ഇപ്പോഴത്തെ പലിശ കുടുതലല്ലെന്നു കാണാം. അന്നു കൊടുത്തിട്ടുള്ള പണത്തിനു അന്നത്തെ നെല്ലു വില കണക്കാക്കിവേണം പലിശ കുടുതലുണ്ടോ എന്നു നോക്കുവാൻ. നെല്ലു വിലകുടിയെന്ന കാരണത്താൽ നെല്ലലിശ മുപ്പതിൽ നിന്നു ഇരുപതാക്കാമെങ്കിൽ പണത്തിന്റെ വില കുറഞ്ഞതുകൊണ്ടു അർത്ഥത്തേയും ഇരട്ടിയായി ഇപ്പോൾ കണക്കാക്കണം. കാണാർത്ഥവും പലിശയും തമ്മിൽ കായ്കാരണബന്ധമുണ്ട്. ഒന്നിനെമാത്രം ഇപ്പോഴത്തെനിലയിലും ഒന്നിനെ പണ്ടത്തെ നിലയിലും ഗണിക്കരുതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): കാണഅർത്ഥത്തിന്റെ പലിശ കുറയ്ക്കാത്തതു കൊണ്ടു പല തെറ്റുകളും വരുന്നു എന്നു മെമ്പർ പറഞ്ഞു. പണ്ടാരപാട്ടത്തുകയിൽ നിന്നും കാണ അർത്ഥത്തിന്റെ പലിശ കുറച്ചു കണക്കാക്കിയാൽ മെമ്പർക്കു സൌകര്യമാണോ?

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MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): പലിശകുറയ്ക്കുന്നതുകൊണ്ടു തെറ്റുകൾ വരുന്നു എന്നാണ് പറഞ്ഞത് ഓരോ വസ്തുവിനു ഓരോ തരത്തിലായിരിക്കും പാട്ടം. ചിലതിൽ പലിശ തട്ടിക്കഴിച്ചുനോക്കാൻ വിഷമമുണ്ടാകും. ആധാരങ്ങൾ പലവിധമാണ്. ഇതിനെ സംബന്ധിച്ചുള്ള എന്റെ അനുഭവത്തെ ഞാൻ താഴെപറയേണ്ടിയിരിക്കുന്നു. തെക്കൻ തിരുവിതാംകൂറിനേയും മദ്ധ്യതിരുവിതാംകൂറിനേയും അപേക്ഷിച്ചു ഉത്തരതിരുവിതാംകൂറിലെസ്ഥിതി ഒന്നു വേറെയാണ്. ഉത്തരതിരുവിതാംകൂറിൽ വലിയ പാട്ടവും വലിയ പലിശയുമാണ്. പലിശ കുറച്ചു കഴിഞ്ഞാൽ മിച്ചവാരംകൊടുക്കുന്നതിനു മറ്റു വസ്തുക്കളിൽനിന്നുംകൂടി ആദായം എടുത്താലെസാധിക്കുകയൊള്ളു.

MR. A. THANU PILLAI (*Trivandrum*): വസ്തുവിന്റെ വിലയിൽ കവിഞ്ഞുകാണുന്ന അത്ഥംകൊടുത്തിട്ടുള്ള കേസ്സുകൾ ഉണ്ടോ? അതായതു കാണം വാങ്ങിക്കുന്നകാലത്തു വസ്തു തീരുവാങ്ങിക്കാനുള്ള വിലയിൽ കവിഞ്ഞവില കൊടുത്തിട്ടുള്ളവർ കാണുമോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അങ്ങിനെകാണുകയില്ല. തീരുവിലയേളം വരുന്നതുകാണും. അക്കാലത്തുപണ്ടാരപ്പാട്ടം ഒഴിപ്പിക്കാമായിരുന്നു. കാണം ഒഴിയേണ്ട.

MR. A. THANU PILLAI (*Trivandrum*): വസ്തുവിന്റെ വിലയിൽ കവിഞ്ഞു കാണഅത്ഥം കൊടുത്തിട്ടില്ലാത്തസ്ഥിതിക്കു സക്കാർ കരം മുറയ്ക്കു കൊടുക്കുന്നതിൽ എന്താണ് വിരോധം?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അത്ഥം കൊടുക്കുകമാത്രമല്ല, അതിന്റെ നാലിൽ ഒരുഭാഗം വീതം പൊളിച്ചെഴുത്തുകാലത്തു അനവധികാലമായി കൊടുത്തുകൊണ്ടിരിക്കുകയും ചെയ്യുന്നുണ്ട്. ചിലവളരെ തുച്ഛമായിട്ടേ കൊടുത്തിട്ടുള്ളു എന്നിരിക്കട്ടെ. പണ്ടൊരിക്കൽ ൧൦൦ രൂപാകൊടുത്തു ഒരാൾ വസ്തുവാങ്ങുന്നു. പിന്നീടൊരാൾ അതുപോലെയുള്ള വസ്തു ൧,൦൦൦ രൂപാക്കും വാങ്ങുന്നു; രണ്ടുപേരും ഒന്നുപോലെ അനുഭവിക്കുന്നു കരവും ഒരുപോലെതന്നെ. അത്ഥവുംപലിശയും മിച്ചവാരവും പാടെനിലയിലിരിക്കുന്നവരെല്ലാം ഒരേതോതിൽ ജന്മിക്കരം കൊടുത്താൽ മതിയെന്നു വച്ചാൽ ചിലർക്കു ഇപ്പോഴത്തേതിൽ വലിയനഷ്ടവും ചിലർക്കു വലിയലാഭവും വരുമെന്നതിനു സംശയമില്ല. മദ്ധ്യോത്തരതിരുവിതാംകൂറിലും, ദക്ഷിണതിരുവിതാംകൂറിലും കാണഅത്ഥംകൊടുത്തിട്ടുള്ള സംഖ്യയുടേയൊ അല്ലെങ്കിൽ വസ്തുവിനു വച്ചിട്ടുള്ള പാട്ടത്തിന്റെയൊ പലിശയുടെയൊ വിഷയത്തിൽ ഐകരൂപ്യമില്ല. ഇപ്പോഴത്തെ വിവിധത്വം നീക്കി ഐകരൂപ്യമാക്കിയാൽ ജനങ്ങൾക്കുസങ്കടമുണ്ടാകും. എന്നാൽ കാര്യത്തിനവ്യക്തതയും വ്യവഹാരത്തിനുകുറവും ഉണ്ടാകുമെന്നു സമ്മതിക്കാം.

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MR. A. NARAYANA PILLAI (*Vaikam*): ക്കൂടുതൽ അത്ഥംകൊടുത്തവർ ക്കൂടുതൽ അവകാശങ്ങൾ കൊടുത്തുവരുന്നുണ്ടെന്നറിയാമോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ശരി. അവകാശം കൊടുത്തുവരുന്നതു ഓരോ ജന്മിമാക്കും ഓരോ ദേശ വഴിയിലുള്ള രീതിയനുസരിച്ചുംക്രൂടിയാണു്.

MR. A. NARAYANA PILLAI (*Vaikam*): കാണ അത്ഥത്തിന്റെ തോതനുസരിച്ചാണ് അവകാശം അധികവും നൽകുന്നത്.

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അങ്ങിനെയാണെങ്കിലും ചിലക്കു നഷ്ടവും ചിലക്കു ലാഭവും ക്രമത്തിലധികം വരും.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): അതു പൊതുവെ ജന്മിമാക്കു ദോഷകരമല്ല എന്നു മെമ്പർ വിശ്വസിക്കുന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): അതു ഖണ്ഡിച്ചു പറയുവാൻ പാടില്ല. ജന്മിമാരും കുടിയാന്മാരും ഇതു സമ്മതിച്ചാൽ കായ്ത്തിനു സ്വശ്രൂതയുണ്ടെന്നു നിസ്സംശയം സമ്മതിക്കാം. ഈ ജന്മിക്കുടിയാൻകായ്വും കമ്മ്യൂണൽ റിപ്രസന്റേഷൻ കായ്വും വേണ്ടപോലെ അവസാനിപ്പിച്ചു കഴിഞ്ഞാൽ രാജ്യത്തു ജനങ്ങളുടെയിടയിൽ അധികസമാധാനവും സംതൃപ്തിയും ഉണ്ടാകുവാനിടയുണ്ടു്.

MR. JOSEPH KUNJU (*Changanachery cum Peermade*): ഇതുക്കൂട്ടരും സമ്മതിക്കുമെങ്കിൽ അതൊന്നു പരീക്ഷിക്കുന്നതിനു സമയം കൊടുക്കുന്നതു നല്ലതല്ലേ?

MR. TARIATU KUNJITOMMAN (*Commerce and Industry, North*): ഇതു സാധിക്കുമെന്നു ഗവർമ്മെൻറിനും മറു ജന്മപ്രതിനിധികൾക്കും അഭിപ്രായമുണ്ടെങ്കിൽ എനിക്കു വിരോധമില്ല. ഞാനും ഒരു കാണിക്കുടിയാൻതന്നെ. ലാഭമായാലും നഷ്ടമായാലും ഞാൻ സമാധാനത്തിനും രാജ്യനന്മയ്ക്കും വേണ്ടി അനുഭവിച്ചുകൊള്ളാൻ തയ്യാറാണു്.

PRESIDENT: മി: ഇട്ടൻനമ്പൂതിരിപ്പാടിന്റെ അഭിപ്രായത്തിൽ മറു രണ്ടു ജന്മിമെമ്പർമാരും യോജിക്കുന്നുണ്ടോ? അതായതു സർക്കാർ കരം നീക്കി ശേഷമുള്ളതു കിട്ടിയാൽമതി എന്നുള്ള അഭിപ്രായമാണു്. അതിൽ മി: ജാതവേദൻ നമ്പൂതിരിപ്പാടാണു് സംശയം പറഞ്ഞതു്.

MR. V. N. JATHAVEDAN NAMPUTIRIPAD (*Co-opted*): സമ്മതമാണു്.

PRESIDENT: Somebody was asking if Mr. Jatavedan Namputiripad was agreeable to this proposal. He has now said that he is.

MR. S. KRISHNA PILLAI (*Karunagappalli*): Yes, then I withdraw my objection.

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MR. K P. KOCHUKORA TARAKAN (*Kunnatnad*): വടക്കൻ തിരുവിതാംകൂറിൽ കാണപ്പാട്ടവസ്തുക്കളും പണ്ടാരപ്പാട്ടവസ്തുക്കളും ഉൾപ്പെട്ടാണ് കിടക്കുന്നത്. ജന്മവസ്തുക്കൾ — മുഴുവൻ കരവും കൊടുക്കേണ്ടിവരുന്നു. ഇതു രണ്ടുംകൂടിവരുമ്പോൾ എട്ടിൽ ഏഴാണോ എന്നറിഞ്ഞാൽ ശരിക്കുള്ളാം.

PRESIDENT: There are very few exceptions.

MR. K. P. KOCHUKORA TARAKAN (*Kunnatnad*): പണ്ടാരപ്പാട്ടം വസ്തുക്കളും കാണാം. വസ്തുക്കൾ പതിപ്പിച്ചിട്ടുള്ളവയെ അന്യാധീനപ്പെട്ടത്തി ജന്മിമാർ കാണവസ്തുക്കളുടെ കൂട്ടത്തിൽ ഉൾപ്പെടുത്തീട്ടുള്ളവയുംകാണാം.

PRESIDENT: That will be very rare.

We have had a long discussion over Mr. Tuppan Namputiripad's amendment that this Bill be again referred to the Select Committee. Mr. Tuppan Namputiripad put it on a very wide basis; but the discussion has narrowed it down to one point, namely, that the Select Committee might be instructed or requested to take evidence and report whether there is a general consensus of opinion among the jenmies and the tenants in favour of the position that Mr. Tuppan Namputiripad has taken up, namely, that, in lieu of all rights over the kanom propeity, which the jenmi is now enjoying, he should get the difference between the pattom, fixed for Revenue proposes by the Government on the land, and the tax that is being paid to the Government. As all the members who spoke on this amendment stated, if it is possible to arrive at an agreed decision to that effect, it will for ever settle, in a very desirable manner, the disputes that have been going on for a long time between the jenmies and the tenants in the country, and will add to the peace and contentment of the people. It will further put an end to all possibilities of quarrels between the two sections of the people of Travancore. The only fear that was voiced by some of the members was that this might be merely a trick for dragging on the consideration of this Bill – I must say that a little bitterness that appeared in some of the speeches could have been avoided—but practically that fear has come to absolutely nothing, because it is agreed that the time to be given to the Committee to submit its report should on this point not extend beyond the next meeting of the Council. I think that a restriction as to time like that may be added to the motion to recommit this Bill to the Select Committee. If that is done the fears that have been voiced in some quarters would become groundless. There can be absolutely no doubt that every one of us here and every one in Travancore outside this Council would be extremely glad if it is possible to settle this question in that way. If as a result of the enquiry that may be held by this Committee – if this Bill is recommitted to-day—if as a result of the enquiry it is found that there is a general agreement on this point, if all the pin-pricks that are now being passed from one side to the other in the relation between the jenmies and the kutiyans can for ever be put an end to, that in itself would be a very great thing

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[President.]

gained in the interest of peace and contentment in the State. And, if this Council, during its term, is able, by agreement, to bring about that consummation, I for one think that, that in itself would be a matter for supreme congratulation for the Council. [Mr. K. Madhavan Pillai: *hear, hear*]. We can only hope that all the members of this Council, jenmi members as well as the others, will try their best, exert all the influence that they have got in the country, to see that both sides, the tenants on the one side and the jenmies on the other, appreciate the advantages of the position that is now being advanced and accept the solution that has now been placed before the House.

May I take it that on these conditions, namely, that this point alone will be considered by the committee when the Bill is recommitted to it and that the report of the committee, whether it is the final report or whether it is only an interim report, must be presented before the next meeting of the Council, the Bill may be recommitted for the consideration of the question?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Instead of putting it before the next meeting of the Council you may fix the time, Sir.

PRESIDENT: Yes, we may do it. We may fix a period which will practically expire before the next meeting of the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall put the motion in English. It will be as follows —

That the Bill be recommitted to a Select Committee to examine and report, after taking evidence, on the following point, *viz.*,

> "Whether in respect of kanapattom lands an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes, and out of that pattom, whatever is left after deducting the Sirkar tax, be taken to be the jenmis' due in lieu of all and every one of their claims."

and if such an arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same.

If the wording is agreeable, I shall add the time also.

PRESIDENT: Please read that out again, Mr. Paramesvaran Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That the Bill be recommitted to a Select Committee to examie and report, after taking evidence, on the following point, *viz.*,

> "Whether in respect of kanapattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes, and out of that pattom whatever is left after deducting the Sirkar tax, be taken to be the jenmis' due in lieu of all and every one of their claims.

and if such an arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same.

MR. A. NARAYANA PILLAI (*Vaikom*): ജന്മിമെമ്പറന്മാരിൽ നിന്നു വന്നിട്ടുള്ള അഭിപ്രായം "ബാക്കി കരം" എന്നമാത്രമാണെന്നു തോന്നുന്നില്ല. കരത്തിന്റെ എല്ലാ ഭാഗം ജന്മിമാക്കു കൊടുക്കുന്നതിനു നിശ്ചയിച്ചു?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ബാക്കിയുള്ളതു ജന്മിക്കു കൊടുക്കാമെന്നാണു്.

PRESIDENT: അതിൽ ഏതെങ്കിലും മാറ്റം വേണമെന്നുണ്ടോ?

MR. A. NARAYANA PILLAI (*Vaikom*): Then, why not leave that question to be decided by the Select Committee? Why should we fix it?

PRESIDENT: The Committee's Report will say that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): This is the point that the Committee should consider and report upon. Instead of "if such an arrangement can reasonably be made," I shall say "if *any* such arrangement can reasonably be made."

Then the motion will read thus:—

That the Bill be recommitted to a Select Committee to examine and report, after taking evidence, on the following point, namely,

> "Whether in respect of kanapattom lands, an arrangement can reasonably be made that the pattom of such lands be taken to be the same as the pattom fixed for Land Revenue purposes, and out of that pattom, whatever is left after deducting the Sirkar tax, be taken to be the jenmis' due in lieu of all and every one of their claims."

and if *any* such arrangement can reasonably be made, to draft and submit the necessary legislative provisions for the same.

PRESIDENT: It may happen that what they have to suggest would be not merely the modification of the Bill, but an absolutely new provision, which in that case, will have to be introduced in the Council according to the proper procedure and passed. All that is said is, they should submit the necessary legislative provision. Their submitting the provision may not immediately enable us to pass it into a law; but that will be a recommendation which the House and the Government will take into consideration and see how it should be passed. It may be necessary to withdarw this Bill and immediately introduce another Bill containing the provision that they may suggest; and it would then be a sort of an agreed Bill.

MR. A. THANU PILLAI (*Trivandrum*): Since it is the Select Committee that report, will not the recommendation be in such a form that it will be considered by this Council as a Bill in the second reading stage?

PRESIDENT: As far as possible. We cannot fetter their discretion in that way; because we do not know what the final form of their recommendation will be. Suppose the whole thing is to be in a single section and the whole of the existing statute has to be abrogated and one section Regulation alone is to stand?

MR. A. THANU PILLAI (*Trivandrum*): My suggestion is that it may be in such a form, that it would be possible for this House to consider as a Bill for the second reading.

PRESIDENT: Certainly, as far as possible, it will be in that form.

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): By consent of the parties the present Bill may be withdrawn by the Law Member, and that Bill introduced forthwith suspending the Standing Orders.

PRESIDENT: We might say 'three and a half months' instead of 'three months' of the Committee to report; because, as we can give a little more time we need not cripple them unnecessarily.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): I would make one suggestion. It would be advisable to bring the legislation to a close, to put in the committee two accredited members of the kutiyans, either co-opted or elected, from the Council. Then the question will be finally solved. Otherwise that will give rise to other questions. Even now there is that objection. The legislation as a whole has not got the full support of the entire kutiyan population of the State.

PRESIDENT: I do not think there is much in that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head, Sirkar Vakil*): The Committee will consist of the following members:—

1. Mr. V. N. Jatavedan Namputiripad,
2. ,, C. N. Thuppan Namputiripad,
3. ,, N. Raman Namputiripad,
4. ,, A. S. Damodaran Asan,
5. ,, E. V. Krishna Pillai,
6. ,, Tariathu Kunjitomman,
7. ,, K. P. Abraham,
8. ,, Kayalam Paramesvaran Pillai, and
9. ,, Rao Bahadur K. A. Krishna Aiyangar (*Chairman*).

Rao Bahadur K. A. Krishna Aiyangar will be the Chairman.

PRESIDENT: May I take it that the motion is carried?

The Deputy President will be the Chairman of the Committee and the Committee will report within three and a half months.

The motion was carried *nem con.*

The House will now rise and meet again at 3-30 to discuss the adjournment motion.

The Council adjourned for lunch at 2 and met again at 3-30 P. M.

ADJOURNMENT MOTIONS.

PRESIDENT: Mr. Krishna Pillai, with regard to the motion which you wanted to move this morning as a matter of urgent public importance, you say that there is definite information that some enterprising foreigner has applied for a monopoly of white clay called kaolin available in Travancore and that Government have decided to grant the same. As a matter of fact, there is no person, foreigner or other, who has applied for a monopoly of white clay called kaolin, nor have Government decided to grant any. I may explain what really has taken place. A tile manufacturing firm at Alwaye applied for a prospecting license to prospect for kaolin in the whole of the Quilon taluk. The Government refused to give a prospecting license for the whole Taluk. On a further

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